

September 3, 1910.

The Board of Public Works held their meeting in Room 504  
Union Trust Building, at 10 o'clock A. M.

This meeting was called for the purpose of considering a request from the citizens of Port Deposit for the balance of the Relief Fund appropriated for the flood sufferers of that town.

Present :-

Governor Crothers.

State Treasurer Vandiver.

Mr. David R. Armstrong, President of the Board of Town Commissioners of Port Deposit, Maryland, submitted the following report,-

## FINAL STATEMENT

OF

T. C. BOND, JR., TREASURER,

FLOOD RELIEF COMMITTEE.

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## RECEIPTS:-

From State of Maryland . . . . . \$5,000.00

DISBURSEMENTS :-

For food, clothing, fuel, etc. . . . . \$755.08

For removing ice, opening alleys and sewers, etc., . . . . .	4097.93	4,853.01
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Balance on hand . . . . .	146.99
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STATE OF MARYLAND , )  
COUNTY OF CECIL, ) SS;-  
4.

Personally appeared before the subscriber, a Notary Public, in and for said County and State, T. C. Bond, Jr., and made oath in due form of law that the above account is just and true to the best of his knowledge and belief.

Subscribed and sworn to

T. C. Bond, Jr.

before me this 14th day of July 1910.

Alonzo L. Barry,  
Notary Public.

Mr. Vandiver moved that the report be received and accepted, which motion being duly seconded was adopted. The report has

been sent to the State Comptroller, showing a detailed statement of the expenses;--etc.,

Mr. Armstrong in a short statement before the Board pointed out the needs of the destitute of Port Deposit and showed that the actual loss of property, etc., was \$157,287.93 and he asks that the balance of the appropriation, namely,-- \$15,000. be given to them for the relief of the sufferers.

Mr. Isaac Lobe Straus, the Attorney General, was called upon to construe the act under which this appropriation was made and he held that the Committee having this matter in charge should make a statement to the Board of Public Works showing the actual loss of the destitute sufferers, approved by the Committee, and then the Board should determine whether or not they should be reimbursed.

The Board, upon recommendation of Senator J. Frank Harper, made the following appointment,--

Captain John T. Sewall of Chester, Queen Annes County, Maryland, Commander of Local Guard Boat on Chester River and Tributaries.

The following order was submitted by Governor Crothers,--

ORDERED by the Board of Public Works this third day of September, 1910, that the sum of \$1,537.81 be and the same is hereby directed to be paid to the Hon. W. McCulloh Brown, Julius K. Munroe, Esq. and S. S. Ganott, Esq., Boundary Commissioners; appointed by the Supreme Court of the United States, being costs and necessary expenses in connection with the Boundary Survey between the State of Maryland and West Virginia, under and in accordance with the decree of the Supreme Court of the United States; the same to be charged to the contingent fund of the Board of Public Works. A copy of said decree being affixed hereto.

Mr. Vandiver moved that the Order be adopted which motion carried.

## SUPREME COURT OF THE UNITED STATES.

No. 1, Original.-October Term, 1909.

THE STATE OF MARYLAND, COMPLAINANT, )  
VS ) IN EQUITY.  
THE STATE OF WEST VIRGINIA. )

This cause came on to be heard at this term and was argued by counsel; and thereupon, on consideration thereof, it was adjudged and decreed as follows:-

First:-

That the true boundary line between the States of Maryland and West Virginia is ascertained and established as follows:-

Beginning at the common corner of the States of Maryland and Virginia on the southern bank of the Potomac River at low-water mark at or near the mouth of the Shenandoah River, (near Harper's Ferry,) and running thence with the southern bank of the said Potomac River, at low-water mark, and with the southern bank of the North Branch of the Potomac River at low-water mark, to the point where the north and south line from the Fairfax Stone crosses the said North Branch of the Potomac, and thence running northerly, as near as may be, with the Deakins or Old State line to the line of the State of Pennsylvania.

Second:-

That Julius K. Monroe, William McCulloch Brown and Samuel S. Gannett be, and they are hereby, appointed commissioners to run, locate and establish and permanently mark with suitable monuments the said Deakins or Old State line as the boundary line between the States of Maryland and West Virginia from said point on the southern bank of the North Branch of the Potomac River to the said Pennsylvania line, in accordance with the opinion of the court heretofore filed in this case and with this decree, the said line to be run and located as far as practicable as it has been generally recognized and adopted by the people residing about or near the same as the boundary line between the said States, and not as conforming, except to a limited extent, to the western boundary of the Maryland Military Lots as said lots are now located and held. Said Commissioners shall mark said line as run, located and established by them with suitable stone monuments, at reasonable and proper intervals, according to the topography of the country.

It is further ordered that before entering upon the discharge of their duties each of said commissioners shall be duly sworn to perform faithfully, impartially and without prejudice or bias the duties herein imposed; said oath to be taken before the clerk of this court or before either of the clerks of the Circuit Courts of the United States for the District of Maryland or for the Northern District of West Virginia, or before an officer authorized by law to administer an oath in the State of Maryland or of West Virginia, and returned with their report; that said commissioners may arrange for their organization, their meetings and the particular manner of the performance of their duties, and are authorized to adopt all ordinary and legitimate methods in the ascertainment of the true location of said boundary line, including the taking of evidence under oath and calling for papers and documents, but in the event evidence is taken the parties shall be notified and permitted to be present and cross-examine the witnesses; and all evidence taken by the commissioners and all exceptions thereto and action thereon shall be preserved and certified and returned with their report.

Said commissioners are also at liberty to refer to and consult the printed record in the cause so far as they may think proper to enable them to discharge their duties under this decree.

It is further ordered that the clerk of this court shall at once forward to the governor of each of said States of Maryland and West Virginia, and to each of the commissioners appointed by this decree, a copy of this decree duly authenticated. And said commissioners are authorized, if they deem it necessary, to request the co-operation and assistance of the State authorities in the performance of the duties imposed on them by this decree.

It is further ordered that said commissioners do proceed, with all convenient dispatch, to discharge their duties in running, locating, establishing and marking said line as herein directed, and make their report thereof and of their proceedings in the premises to this court on or before the first day of January, 1911, together with a complete bill of costs and charges annexed.

It is further ordered that should vacancies occur in said board of commissioners by reason of death, the refusal to act or inability to perform the duties required by this decree, the Chief Justice of this

court is hereby authorized and empowered to appoint other commissioners to supply such vacancies, and said Chief Justice is authorized to act on such information in the premises as may be satisfactory to himself.

It is further ordered that all the costs of the proceedings by said commissioners under this decree, including a remuneration of not exceeding fifteen dollars (\$15.00) per day and his reasonable expenses for each commissioner whilst actually engaged in the performance of his duties hereunder, and the other costs incident to the running, locating, establishing and marking said line, shall be paid by the States of Maryland and West Virginia equally.

Third:-

That the cross bill of the State of West Virginia, in so far as it asks for a decree fixing the north bank of the Potomac River as the boundary line between said States, be, and the same is, hereby dismissed.

Fourth:-

That this decree shall not be construed as abrogating or setting aside the compact made between commissioners of the State of Maryland and the State of Virginia at Mount Vernon on the 28th day of March 1785, and which was confirmed by the general assembly of Maryland and afterwards by act of the general assembly of Virginia passed on the 3rd day of January 1786, but the said compact, except so far as it may have been superseded by the provisions of the Constitution of the United States, or may be inconsistent with this decree, shall remain obligatory upon and between the States of Maryland and West Virginia, so far as it is applicable to that part of the Potomac River which extends along the border of said States, as ascertained and established by this decree.

Fifth:-

That all the costs in this case and the proceedings therein as the same shall be taxed by the clerk of this court, and including also the costs of the surveys made by the two States under the order or orders of this court, said costs for said surveys to be ascertained and taxed by the clerk of this court upon vouchers sworn to and exhibited to him, shall be equally divided between the said two States.

May 31, 1910.

## SUPREME COURT OF THE UNITED STATES.

I, JAMES H. McKENNEY, Clerk of the Supreme Court of the United States, do hereby certify that the foregoing is a true copy of the decree of said Supreme Court entered on the 31st day of May A. D. 1910, in the case of THE STATE OF MARYLAND, COMPLAINANT VS THE STATE OF WEST VIRGINIA, No. 1, Original, October Term 1909, as the same remains upon the files and records of said Supreme Court.

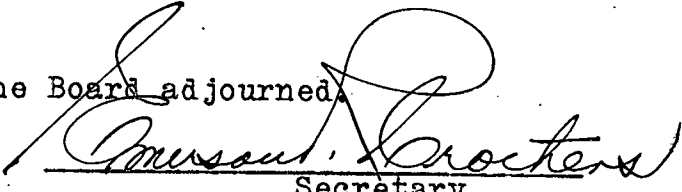
In testimony whereof I hereunto subscribe my name and affix the seal of said Supreme Court, at the City of Washington, this third day of June, A. D. 1910.

(SEAL-)

(Signed) JAMES H. McKENNEY,

Clerk of the Supreme Court  
of the United States.

Upon motion of Mr. Vandiver the Board adjourned.

  
Secretary.